



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,812	02/27/2004	David W. Proctor	MSFT-2871/307103.01	7342
41505 7590 07/27/2007 WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION) CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER KUMAR, ANIL N	
			ART UNIT 2174	PAPER NUMBER
			MAIL DATE 07/27/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/788,812	Applicant(s) PROCTOR ET AL.	
	Examiner Anil N. Kumar	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>27 February 2004</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to the original filing of December 15th, 2003. Claims (1-49) are pending and have been considered below.

#### ***Claim Objections***

Claim 26 is objected to because of the following informalities: "... at least one wing is two wings..."

Claim 29 is objected to because of the following informalities: The examiner assumes "At one sleeve operatively coupled ..." to mean, "At least one sleeve operatively coupled ...".

Appropriate corrections are required.

#### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 48 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 48 is drawn to a modulated data signal per se. Modulated data signal is not a series of steps or acts and this is not a process. Modulated data signal is

not a physical article or object and as such is not a machine or manufacture.

Modulated data signal is not a combination of substances and therefore not a compilation of matter. Thus, modulated data signal by itself does not fall within any of the four categories of invention. Therefore, Claim 48 is not statutory.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-11, 19-24, 30-39, 45-47 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adatia et al. (US 2003/0112262 A1) in view of Ditzik (US 2001/0030850 A1).

Claims 1, 20, 30 and 49: Adatia et al. disclose, a user interface mechanism for switching among at least two modes in a media device having a media screen for displaying data relating to media content, modes of operation of the media device including a first mode for interacting with the media device when the media content relates to music and a second mode for interacting with the media content when the media content relates to image content (i.e. ...providing a multi-sized user interface, separating a user interface into two control regions,

providing a pop-out control panel, providing a graphical playlist indicator...

paragraph [0004] and Figs. 1-2), comprising: but does not disclose

- at least one component movable between a first position corresponding to the first mode and a second position corresponding to the second mode, wherein when said at least one component is moved to the first position, the media screen of the media device is substantially shielded from view.

However, Ditzik discloses a portable electronic unit, like a PDA, which has a display screen and a mechanism to close or protect the screen when not in use but use the system for audio related functions (i.e. ... another embodiment of the invention having a base unit or notebook computer system 100, a handset unit 14 and a earset 34... paragraphs [0041-43] and Figs. 3A-3B). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Ditzik, to protect the screen when not in use, in Adatia et al. One would be motivated to provide the feature that protects the display screen, if the sole purpose of the apparatus is not just viewing the screen.

Claims 2 and 31: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 1 and 30, above. Furthermore Adatia et al. disclose, wherein said image content of the second mode includes at least one of video content and image content (i.e. ... integrating the graphics into the unit facilitates the development of visual

effects... This approach also enables the unit to apply special effects to the video display... paragraph [0061]).

Claims 3, 21 and 32: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 1 and 30, above, Furthermore, Ditzik discloses, wherein when said at least one component is moved to the first position, a portion of the media screen remains unshielded from view (i.e. ... another embodiment of the invention having a base unit or notebook computer system 100, a handset unit 14 and a earset 34... paragraphs [0041-43] and Figs. 3A-3B). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Ditzik, to protect the screen when not in use, in Adatia et al. One would be motivated to provide the feature that substantially protects the display screen, if the sole purpose of the apparatus is not just viewing the screen.

Claims 4 and 33: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 1 and 30, above. Furthermore Adatia et al. disclose, wherein the unshielded portion of the media screen displays at least one of metadata relating to music being rendered and advertising.(i.e. ... providing a graphical playlist indicator... paragraph [0004]).

Claims 5, 22 and 34: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 3 and 32, above. Furthermore Adatia et al. disclose, wherein said at least one component includes a plurality of user interface controls for interacting with the media content (see Figs. 1-2).

Claims 6 and 35: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 5 and 34, above. Furthermore Adatia et al. disclose, wherein said plurality of user interface controls for interacting with the media content include at least one of Escape, Start, Options, More, OK, Back, Forward, Play, Pause, Up, Down, Fast Forward, Reverse, Skip Forward, Skip Backwards, Menu, Left, Right, Mute, Volume Up and Volume Down functional controls (see Figs. 1-2).

Claim 7: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claim 5, above. Furthermore Adatia et al. disclose, wherein said plurality of user interface controls is applicable to both the first and second modes (see Figs. 1-2).

Claims 8 and 36: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 5 and 34, above. Furthermore Ditzik discloses, wherein said at least one component is

swappable with at least one alternate component (i.e. ... handset 14 may operate roughly equivalent to conventional cellular telephone handsets... paragraph [0044] and Fig. 3). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide, as taught by Ditzik, swappable components, in Adatia et al. One would be motivated to provide swappable component as a portable electronic device is expected to have multiple uses in a networked, wireless environment.

Claims 9 and 37: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 8 and 36, above. Furthermore Ditzik discloses, wherein said at least one alternate component exposes a different set of user interface controls than provided by said at least one component (i.e. ... handset 14 may operate roughly equivalent to conventional cellular telephone handsets... paragraph [0044] and Fig. 3). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide, as taught by Ditzik, swappable components, in Adatia et al. One would be motivated to provide swappable component as a portable electronic device is expected to have multiple uses in a networked, wireless environment.

Claim 10 and 38: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 5 and



34, above. Furthermore Adatia et al. disclose, wherein said at least one component is augmentable with at least one alternate component (Fig. 2).

Claim 11 and 39: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 10 and 38, above. Furthermore Adatia et al. disclose, wherein said at least one alternate component at least one of (A) exposes additional user interface controls not provided by said at least one component alone and (B) alters the functionality of said plurality of user interface controls (i.e. ... When the user pops this panel out, it reveals an additional set of hardware-like controls... paragraph [0032] and Fig. 2).

Claims 19 and 45: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 1 and 30, above. Furthermore Ditzik discloses, wherein the at least one component include a wallet structure wherein the media screen is inside the wallet structure, such that the wallet structure is in the first position when the wallet structure is closed and the wallet structure is in the second position when the wallet structure is open (Fig. 31. Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide, as taught by Ditzik, a wallet structure, in Adatia et al. One would be motivated to provide a wallet structure

where the embodiment is small, so that the screen can be protected when the media player is carried around like a wallet.

Claim 23: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claim 20, above. Furthermore Adatia et al. disclose, (2) the functionality provided by a wing of the at least one wing is augmentable with a sleeve, wherein the sleeve provides alternate functionality (see Figs. 1-2), but does not disclose, (1) a wing of the at least one wing is interchangeable with an alternate wing, wherein the alternate wing provides alternate functionality. However, Ditzik discloses interchangeable components (i.e..... Alternatively, cover section 8 consist of the handset itself... paragraph [0037] and Fig. 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide, as taught by Ditzik, an interchangeable component with additional features, in Adatia et al. One would be motivated to provide additional related features like a PC connectivity or a wireless interface, as it is very useful for the user to have integrated set of features and not having to carry multiple disparate components.

Claim 24: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claim 23, above. Furthermore Ditzik discloses, wherein alternate functionality includes at least one of noise reduction/cancellation, Bluetooth headphone accommodation,

microphone input, TV input, TV output, left handed switching of functionality, remote control functionality and a speaker (i.e..... The handset may have retractable antenna, small speaker, keypad, built-in microphone and a battery source... paragraph [0037] and Fig. 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide, as taught by Ditzik, alternate features, in Adatia et al. One would be motivated to provide alternate related features like a PC connectivity or a wireless interface, as it is very useful for the user to have integrated set of features and not having to carry multiple disparate components.

Claims 46 and 47: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claim 30, above. Furthermore Adatia et al. disclose, computing device and computer readable medium comprising computer executable modules (i.e. ... It runs as an application on a computer running an operating system such as Windows or Linux... paragraph [0028]).

6. Claims 12-15, 28-29 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adatia et al. (US 2003/0112262 A1) and Ditzik (US 2001/0030850 A1), and in further view of Ejima et al. (US 6,259,469 B1) .

Claims 12-15 and 40: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 1 and 30, above. Furthermore, Ejima et al. disclose, wherein said at least one component includes a first component, wherein the first component substantially surrounds an end of the media device, such that when the first component is moved substantially towards the middle of the media device from the end, the media screen of the media device is substantially shielded and said at least one component is located at the first position (see Figs. 2-3), but does not explicitly show a dual enclosure system. Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a feature, as taught by Ejima et al., to enclose the screen by splitting the cover portion in half, and make it slide from top and bottom as well, in Adatia et al. One would be motivated to provide a single or dual enclosure system to safe guard the screen, when not in use.

Claims 28 and 29: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 1 and 30, above. Furthermore, Ejima et al. disclose, a first sliding mechanism for engaging a second sliding mechanism of the portable media player, the first and second sliding mechanisms together enabling sliding of the at least one interchangeable wing to a closed position wherein the media screen is substantially hidden and for sliding the at least one (see Figs. 2-3). Therefore, it would have been obvious

to one having ordinary skill in the art at the time to provide a feature, as taught by Ejima et al., to enclose the screen by a sliding mechanism, in Adatia et al. One would be motivated to provide a sliding mechanism, as it is convenient to open and close the screen, without removing the cover.

7. Claims 16-18, 25-27 and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adatia et al. (US 2003/0112262 A1) and Ditzik (US 2001/0030850 A1), and in further view of Narayanaswami (US 2001/0013890 A1) .

Claims 16, 27 and 41: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 1, 20 and 30, above, but does not disclose, wherein the media device includes a synchronization component adapted to synchronize with a docking station whether said at least one component is in the first position or the second position. However, Narayanaswami discloses, media device that include synchronization component (i.e..... system is shown which includes a PDA 100 and an interface adapter or a cradle... paragraph [0028] and Fig. 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide, as taught by Narayanaswami, a synchronization component, in Adatia et al. One would be motivated to provide a synchronization or base component with their basic media player, because often users would like to have the

Art Unit: 2174

capabilities generally provided by modem, a digital scanner, a digital camera, videophone, etc., integrated in their compact portable system.

Claims 17, 25, 42 and 44: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 1, 20 and 30, above, but does not disclose, wherein the at least one component include a first component including the media screen, at least one roller component and a second component, wherein said first component and said second component are pivotable about an axis substantially defined by the longitudinal axis of said at least one roller component, whereby with said at least one roller component, the media screen of the first component can be arbitrarily angled with respect to the second component. However, Narayanaswami discloses, media device that includes a roller component and the screen component can be angled (i.e.,.... cradle 112 includes a stand 156 which is adjustable to permit variation in the angle at which cradle 112 rests on a surface... paragraph [0039] and Fig. 5). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide, as taught by Narayanaswami, a mechanism to arbitrarily angle the screen component, in Adatia et al. One would be motivated to provide a pivotable screen, as it be necessary to use the screen display at different angles so that the user can view the screen placed on a table, while sitting down.

Claims 18 and 43: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claims 1 and 30, above, but does not disclose, wherein the at least one component include a first component including the media screen, at least one roller component and a second component', wherein said at least one roller component substantially operates as a hinge for said first component and said second component about which the first and second component pivot, whereby said at least one roller component includes at least one user interface control that operates by at least one of (A) turning the at least one roller component substantially about a longitudinal axis of said at least one roller component, (B) sliding the at least one roller component substantially along the longitudinal axis and (C) receiving a selection of a button control on an end of the at least one roller component.

However, Narayanaswami discloses, (A) turning the at least one roller component substantially about a longitudinal axis of said at least one roller component (i.e..... Positioner 158 permits rotation of lens 132 to allow versatility in capturing images... paragraph [0039] and Fig. 5), (B) sliding the at least one roller component substantially along the longitudinal axis (i.e.....Cradle 112 adjusts by releasing a locking mechanism (not shown) to permit sides 144 to translate relative to each other as indicated by arrows "A" and "B" ... paragraph [0033] and Fig. 2) and (C) receiving a selection of a button control on an end of the at least one roller component (i.e..... Included are a shutter release 118...

paragraph [0030] and Fig. 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide, as taught by Narayanaswami, a rotating component with additional features, in Adatia et al. One would be motivated to make use of the rotation component, because it would be essential to be able to rotate the screen with respect to the camera in a typical Video telephone or teleconferencing application.

Claim 26: Adatia et al. and Ditzik disclose, a user interface mechanism for switching among at least two modes in a media device as in Claim 20, above, but does not disclose, wherein said at least one wing is two wings that slide outward from the media screen to reveal the media screen in the open position, and wherein the two wings operate as a stand for the portable media player.

However, Narayanaswami discloses, a media device that multiple components and one of which could be used as a stand (see Fig. 6). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide, as taught by Narayanaswami, a mechanism to use one of the components of the media player as a stand, in Adatia et al. One would be motivated to provide a a stand for a media player so that the display screen is easy visible to more than one person for a long duration of time.



### Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Cho et al. (US 6,178,087 B1) disclose a Multimedia apparatus using a portable computer
- b. Crow et al. (US 2002/0057287 A1) disclose a User interface for presenting media information
- c. Haltunen (US 6,947,067 B2) disclose a Method of transferring data of screen and voice of mobile phone to a normal analog television receiver with an adapter
- d. Lee (US 2006/0212818 A1) discloses a Method for providing multimedia message
- e. Vitito (US 2006/0258440 A1) disclose a Detachable vehicle entertainment system for the armrest/console of a vehicle
- f. Yuyama et al. (5,612,732) disclose a Portable compact imaging and displaying apparatus with rotatable camera

Art Unit: 2174

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil N. Kumar whose telephone number is (571) 270-1693. The examiner can normally be reached on Wednesdays and alternate Mon-Tue and Thu-Fri EST (Alternate Mon-Tue and Thu-Fri off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

ANK

6/25/2007